

Appl. No.: 09/715,909
Amdt. dated November 21, 2005
Supplemental Reply to Office action of July 15, 2005

REMARKS

Status of the Claims

Claims 1-3, 7, 10-18, 29-32, 35, and 36 are pending in the present application. Solely for the purpose of advancing prosecution, and without prejudice to or disclaimer of the subject matter, claims 1 and 7 have been amended to delete reference to "a nucleotide sequence encoding a polypeptide comprising the ligand binding site encoded by nucleotides 4038-4547 of SEQ ID NO:1." Applicants expressly reserve the right to file a continuation application or take other such appropriate action to seek prosecution of this subject matter. Claim 32 has been amended to limit the isolated nucleic acid molecule to a sequence encoding a polypeptide consisting of the ligand binding site encoded by nucleotides 4038-4547 of SEQ ID NO:1. Support for this amendment may be found throughout the specification, for example on page 35, lines 7-8. No new matter has been added by amendment. Reconsideration of the pending claims is respectfully requested.

The Examiner is respectfully requested to withdraw the rejection and allow claims 1-3, 7, 10-18, 29-32, 35, and 36. Pursuant to 37 C.F.R. §1.116 and the *Manual of Patent Examining Procedure* (MPEP), any amendment that will place the application in condition for allowance may be entered after final rejection (MPEP §714.12). Applicants believe that these amendments place claims 1-3, 7, 10-18, 29-32, 35, and 36 in condition for allowance.

Telephone Interview

Applicants thank Examiner Hayes for granting their undersigned representative a telephone interview regarding this application on November 17, 2005. During the telephone interview, the rejection of pending claims 1-3, 7, 10-18, and 32 under 35 U.S.C. § 112, first paragraph was discussed, as was specific language that might resolve the rejection.

The Rejection of the Claims Under 35 U.S.C. § 112, First Paragraph, Should Be Withdrawn

The Examiner has maintained the rejection of claims 1-3, 7, 10-18, and 32 under 35 U.S.C. § 112, first paragraph, for lack of sufficient written description. Specifically, the Office

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Action asserts that Applicants were not in possession of a nucleotide sequence encoding a polypeptide comprising the ligand binding site encoded by nucleotides 4038-4547 of SEQ ID NO:1. This rejection is respectfully traversed.

In order to advance prosecution and in view of the Examiner's Interview, Applicants have amended independent claims 1 and 7 to delete reference to "a nucleotide sequence encoding a polypeptide comprising the ligand binding site encoded by nucleotides 4038-4547 of SEQ ID NO:1." Claims 2, 3, and 10-18 depend from claim 1. In keeping with the Examiner's suggestion, Applicants have amended claim 32 to be independent and to recite an isolated nucleic acid molecule encoding a polypeptide consisting of the ligand binding site encoded by nucleotides 4038-4547 of SEQ ID NO:1.

In view of the above amendments, Applicants submit that all grounds for rejection under 35 U.S.C. § 112, first paragraph, have been overcome. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

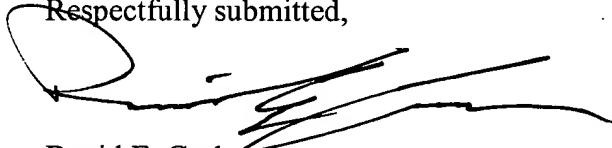
Appl. No.: 09/715,909
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CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that all the objections and rejections have been obviated or overcome and the claims are in condition for allowance. Early notice to this effect is solicited. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject Application, the Examiner is invited to call the undersigned attorney.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

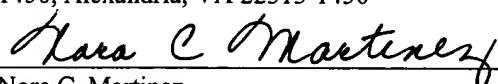
Respectfully submitted,



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